

From: Brad Nelson
To: Leann Parent - lparent.s00388
Sent: 2/22/2013 10:20:31 PM
Subject: RE: The Wellness Clinic of Roland

Glad we could help, have a great weekend

-----Original Message-----

From: Leann Parent - lparent.s00388
Sent: Friday, February 22, 2013 2:13 PM
To: Brad Nelson; Leslie Duncan
Subject: RE: The Wellness Clinic of Roland

Brad,

That is the response I needed. Thank you for your help.

LeAnn

From: Brad Nelson
Sent: Friday, February 22, 2013 1:35 PM
To: Leann Parent - lparent.s00388; Leslie Duncan
Cc: Charlie Bullard
Subject: RE: The Wellness Clinic of Roland

Leann

If you refuse to fill these prescription then POM 1703 applies and the web form should be completed. If your refusal to fill web forms were sent from store 388 then there may have been an error on the form which prevented the form from being submitted. All fields have to be completed for the web form to be transmitted. I checked the received web form file and there are none from store 388 for 2012 or 2013 that have been successfully transmitted.

I would encourage you to review POMs 203,1311,1316,1317,1319 and 1703. Pharmacists are granted the ability to exercise their professional judgment and choose to refuse to fill any prescription if they feel the prescription was written for other than a legitimate medical purpose. Even after the Pharmacist established that there is a Dr/Patient relation, the Pharmacist is still allowed to refuse to fill a prescription on an individual prescription basis, no blanket refusals are allowed by the Boards of Pharmacy. I believe these prescription fall in to this category. When any of the pharmacists on you team decide to not fill a prescription, then the requirements of POM 1703 apply and a refusal to fill or fraudulent activity webform is required to be submitted. The documentation of these refusals is to provide details of the incident for the purposes of supporting the Pharmacists in their decision should any complaint be filed by a prescriber or patient with the Medical Board or Board of Pharmacy.

Feel free to give me a call I would be happy to discuss your concerns. Unfortunately there are many prescribers that write for large quantities of controlled substances, however this does not mean that you as a professional are required to fill these prescriptions. Walmart encourages and supports the Pharmacist in exercising their professional judgment, we simply ask that you follow the policies and procedures outlined in the Pharmacy operations manual to protect you and the company from false claims of discrimination from the Prescriber or the patient. We appreciate your concerns and understand the impact to your practice in Ft. Smith. Let us know how we can help.

Brad Nelson, RPh,
Senior Manager, Corporate Compliance
Health and Wellness Practice Compliance
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Brad.Nelson@wal-mart.com

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PLAINTIFFS TRIAL
EXHIBIT

P-26892_00001

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WMT_MDL_001764242
P-26892_00001

-----Original Message-----

From: Leann Parent - lparent.s00388
Sent: Friday, February 22, 2013 1:06 PM
To: Brad Nelson; Leslie Duncan
Subject: RE: The Wellness Clinic of Roland

Brad,

The thing is, these are not fraudulent or forged prescriptions. The clinic is very much real and is prescribing these, but professionally as a pharmacist, the only reason these high quantities would be needed are for addiction or diversion. I could not justify a patient need for these medication if questioned in court or by the DEA. I'm just letting you know that most of the pharmacists in the area are very uncomfortable with this clinic.

Also, I did fill out webforms last summer regarding some fraudulent prescriptions from some other sources other than this clinic. I think I even have them on file in my refusal/fraudulent fill folder along with some doctors statements. It concerns me that you didn't get these.

LeAnn

From: Brad Nelson
Sent: Friday, February 22, 2013 6:44 AM
To: Leann Parent - lparent.s00388
Subject: FW: The Wellness Clinic of Roland

-----Original Message-----

From: Brad Nelson
Sent: Friday, February 22, 2013 6:43 AM
To: Leslie Duncan; Leann Parent - lparent.s00388; Charlie Bullard
Subject: RE: The Wellness Clinic of Roland

Here is a document that we have used in the past to assist stores and clubs when they are faced with fraudulent or non- legitimate prescriptions being passed in their communities. Feel free to use this and send to your market directors. This is in PDF format so I think they can send it directly to their stores for guidance on how to handle fraudulent prescriptions or suspected forgeries. State Boards of Pharmacy do not allow for blanket refusals of all prescriptions from a prescriber, they do allow the Pharmacist to exercise their professional judgment for individual prescriptions when presented. When a store or club chooses not to fill a prescription it is essential that they follow POM 1703 for Refusal to fill or Fraudulent prescriptions. In the two years since POM 1703 was introduced store 388 has not submitted any refusal to fill or fraudulent activity webforms, therefore the DEA has not been notified of any non-legitimate prescription activity in the area. Hope this is helpful.

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-----Original Message-----

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From: Leslie Duncan
Sent: Thursday, February 21, 2013 9:15 PM
To: Leann Parent - lparent.s00388; Charlie Bullard
Cc: Brad Nelson
Subject: RE: The Wellness Clinic of Roland

Brad,
Can you give us some advice with this situation please?

Thanks,
Leslie Duncan, RPh Regional Director
Health and Wellness Region 42
Phone 479.277.0410 Cell 479.721.3007
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-----Original Message-----

From: Leann Parent - lparent.s00388
Sent: Thursday, February 21, 2013 11:41 AM
To: Leslie Duncan; Charlie Bullard
Subject: The Wellness Clinic of Roland

Hello,

I'm sending this email out because I have great concern for a situation that could potentially become bad. The Wellness Clinic of Roland is continually writing prescriptions for large numbers of multiple narcotic pain relivers. Other chain and independent pharmacies in the area have stopped accepting prescriptions from this clinic, which is causing them to funnel in to our WalMart stores. Although a rise in business is good, this isn't the type of business we want. A high percentage of these customers seem suspicious and some times even lie about being shorted medication wasting our time having to check video on things we clearly double count and backcount. They also flood our phone lines daily asking if we have sufficient quantities of OXY/ROXI and such.

Also, with the recent actions against the WalGreens pharmacies in Florida, I along with my colleagues (Adrienne, Sitt, Amanda, and even Martha) feel that we need to STOP accepting rx's from this clinic. The pharmacists in these WalGreens stores have been called in front of the DEA to be questioned on why they felt that there is legitimate medical need for such high quantities and multiple rx's for these drugs. THERE IS NOT (other than feeding addiction and diversion). Not a single one of us ever feel comfortable about filling these prescriptions, and if questioned, we wouldn't be able to justify this type of prescribing. We continue to fill them because if we call to verify Dr/Pt relationship they tell us bogus info. At first they would not even verify this relationship stating it was a HIPPA breech, clearly not knowing what HIPPA entails. We stopped filling the OXY 30 due to this and they suddenly changed their tune about providing us information. And we can't possibly fill out forms for when we deny each of these patients.

Here are some of the statistics about our increases from only this clinic:

Oxycodone 15 2011 : 1848
Oxycodone 14 2012: 12096 , this is a 545% increase.

Oxycodone 30 2011: 10,881
Oxycodone 30 2012: 21,510 , this is an 97% increase

Although these aren't in the millions like the ones in Florida, these precentage increases in

The Morphine IR, Morphine ER, and Methadone rx's have also sky rocketed. And these are only for our store.

They also write for quantities as high as #350 Methadone 10. Most of these patients also get as many as 4 Narcotics plus other C-3's . For example, it is not uncommon for a patient to get #224 Methadone 10, #168 Oxy 15, #168 Oxy 30, and then also some Hydrocodone, Soma, and XANAX, possibly also throw in one or 2 different Morphine Prescriptions.

I think that if we continue this we are going to be in serious trouble and quickly trigger an investigation. We do not want to continue filling from this clinic. Other pharmacies are stopping and I feel that it is imperative that we follow suit. It will look bad if we are the ones allowing these drugs to be abused or even on the street.

I'm just trying to give a heads up and let you know how uncomfortable each and everyone of us are. Please let us know if we can deny just based solely on the clinic. We need to be able to back ourselves up if this becomes a problem and we hope that WalMart will realize this is a tough situation. Thanks for your time and I look forward to your response.

Sincerely,

LeAnn Parent
Pharmacy Manager #388